

CITY OF NORTH CANTON, OHIO
SPECIAL COMMITTEE OF THE WHOLE MEETING

TRANSCRIPT OF
MARCH 30, 2020, MEETING
VIA TELECONFERENCE

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Transcript of Proceedings of the North Canton City
Council, taken by me, the undersigned, Laurie Maryl Jonas,
a Registered Merit Reporter and Notary Public in and for
the State of Ohio, at the North Canton Civic Center,
845 West Maple Street, North Canton, Ohio, on Monday,
March 30, 2020, at 7:00 p.m.

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Premier Court Reporting
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1 APPEARANCES:

2 (Via teleconference)

3 Daniel Jeff Peters, Council President, Ward 2

4 Daryl Revoldt, Council Vice President, At Large

5 Doug Foltz, Ward 1

6 Stephanie Werren, Ward 3

7 Dominic Fonte, Ward 4

8 Mark R. Cerreta, At Large

9 Matthew Stroia, At Large

10 Timothy L. Fox, Director of Law

11 Jina Alaback, Director of Finance

12 Robert G. Graham, Engineering Services

13
14 (Present at the Civic Center)

15 Patrick A. DeOrio, Director of Administration

16 Catherine A. Farina, Deputy Director of
Administration and Development

17 Stephan B. Wilder, Mayor

18 Benjamin R. Young, Clerk

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1 MR. PETERS: All right. This is the special
2 committee of the whole meeting Monday, March 30,
3 2020, 7 p.m. And for the Record, this meeting is via
4 teleconference.

5 At this time, I'd like Clerk Young to call
6 the roll. Ben?

7 MR. YOUNG: Member Revoldt?

8 MR. REVOLDT: Present.

9 MR. YOUNG: Member Cerreta?

10 MR. CERRETA: Listening. I'm here.

11 MR. YOUNG: Member Foltz?

12 MR. FOLTZ: Present.

13 MR. YOUNG: Member Fonte?

14 MR. FONTE: Here.

15 MR. YOUNG: Member Peters?

16 MR. PETERS: Here.

17 MR. YOUNG: Member Stroia?

18 MR. STROIA: Here.

19 MR. YOUNG: And Member Werren?

20 MRS. WERREN: Here.

21 MR. YOUNG: Seven present.

22 MR. PETERS: Okay. Outstanding. Welcome,
23 everybody.

24 Just a few quick reminders as we go through
25 the committee meeting. I'm going to turn it over to

1 each chairman. I'll let the chair take it from
2 there. Some of you have the ability to flag on your
3 computer screen to ask a question, some of us do not,
4 so let's be cognizant of speaking over each other and
5 try to do it one at a time.

6 So at this time we'll start with Community &
7 Economic Development. Chairman Revoldt.

8 MR. REVOLDT: Thank you very much. You may
9 recall that prior to the new year we discussed
10 waiving some of the requirement for the installation,
11 reinstallation of cement driveways, et cetera. We
12 did not take action. This proposed legislation picks
13 up on that and I think we discussed it, but if there
14 are any questions I'll be happy to entertain them.
15 Otherwise, I'd like to ask council to authorize at
16 least the first reading next Monday night.

17 MR. CERRETA: Daryl, this is Mark Cerreta.
18 May I speak?

19 MR. REVOLDT: You may.

20 MR. CERRETA: Okay. The whole idea of this
21 coming back, we discussed this so much we probably
22 thought it was passed. We have gone through this
23 thing so many times. And I want to make sure,
24 though, that we're talking about the same thing.
25 Just so when I look at this on here, some of the

1 things we talked about may not be in there. I
2 believe, when I look at this, it looks like it only
3 is -- you don't need a permit if you're just doing
4 something that was existing. And that's not what we
5 talked about. We talked about if it's not in the
6 right of way you don't need a permit. Our
7 contractors have to be certified; they know what
8 they're doing. If somebody's out of line, they're
9 going to have to pay to take it out of there.

10 So I want to make sure that we understand,
11 because in this, what we're looking at, and maybe we
12 need to amend it, it only says if it's something
13 that's being replaced. If I want to put a new patio
14 in, I shouldn't have to go get a permit to do that.
15 I get the right contractor, we don't have to go
16 through the extra costs of that and that contractor
17 should be certified and do the things right and we
18 don't have to place the burden on the community
19 folks. I think we discussed that and that's what we
20 were talking about. But I don't think that it's in
21 this particular legislation.

22 MR. REVOLDT: All right (inaudible).

23 MR. YOUNG: Daryl, you're cutting out.

24 MR. FOX: Members have the, you know, the
25 version and it's amending 1173.02 (inaudible) A and

1 we can all read what's being added there. The
2 version that showed (inaudible).

3 MR. YOUNG: One person at a time.

4 MR. FOX: (inaudible) "and uses, accessories
5 thereto," and it says "provided the structures." And
6 this is the code, and it says "are not located in the
7 public right of way, have not exceeded the applicable
8 maximum coverage area." So that -- I think that was
9 the point that maybe wasn't in there before, and so,
10 so long as they're not exceeding the maximum area
11 that they're permitted to have -- permitted to do
12 that, and the work is completed by a concrete
13 contractor registered with the City of North Canton.

14 MR. CERRETA: Okay. That's what makes sense
15 then.

16 MR. REVOLDT: Okay. So if you look at the
17 second 'whereas' in the proposed ordinance, it does
18 cover those very concerns that you referenced.
19 replacing patio located in rear yards, single-family
20 yard, private sidewalks, et cetera.

21 MR. CERRETA: Okay. I was looking at the old
22 one. I'm satisfied with that. Thank you, Tim. And
23 thank you, Daryl.

24 MR. FOX: You're welcome.

25 MR. PETERS: Daryl, this is Peters. May I

1 comment?

2 MR. REVOLDT: Please do.

3 MR. PETERS: To Mark's point -- to Mark's
4 point, I think what him and I had discussed earlier
5 last week, between the patios, sidewalks, but this
6 also includes any driveway extension; correct?

7 MR. REVOLDT: That's correct.

8 MR. FOX: So long as it's lawful.

9 MR. PETERS: Correct. Okay. Yeah. Okay.

10 MR. REVOLDT: Great. So are there any other
11 questions? Seeing none, then I would assume that if
12 council (inaudible) let the minutes reflect that the
13 council has approved the first reading of this
14 legislation. If there are no other objections.

15 MR. PETERS: Okay. Very good. Thank you,
16 Chairman Revoldt.

17 Moving on, Personnel & Safety. We have three
18 items on this committee and all three were
19 legislative requests from Director DeOrio.

20 Continued discussion. A, Continued
21 discussion on amending the city's employee handbook.
22 And Patrick, if you want to at this point, if you
23 want to weigh in? Have there been any updates or
24 changes in regard to this?

25 MR. DEORIO: Thank you, Mr. Chairman. This

1 is DeOrio speaking. And we would like to just table
2 this tonight. We're still meeting with our
3 consultants for another tweaking of some of the
4 language and then we will be bringing it back at the
5 next meeting of the whole.

6 MR. PETERS: Okay. So we need -- should I do
7 a motion to table this?

8 MR. YOUNG: If I may, you should do a motion
9 to postpone indefinitely.

10 MR. PETERS: Okay. Let's do a motion to
11 postpone discussion on the city's employee handbook
12 indefinitely.

13 MR. REVOLDT: So moved. Revoldt moves.

14 MR. CERRETA: Cerreta. Second.

15 MR. PETERS: All in favor?

16 ("Aye" in unison.)

17 MR. PETERS: Opposed? All right. Seeing
18 nothing opposed, we approve 7-0.

19 Okay. Moving on, Item B, Ordinance amending
20 Section 24, Manpower of Ordinance 10-89. This is in
21 regards to adding additional -- authorizing the
22 additional addition of radio dispatchers. And,
23 Patrick, you want to comment quickly on why that is?

24 MR. DEORIO: Yes. DeOrio speaking.

25 And council has already, in a previous

1 legislation, authorized the funding through the
2 budget for the position of an additional dispatcher.
3 However, we have a companion ordinance that limits by
4 number the people who can serve as dispatchers, and
5 that -- we need to up that number so that we can go
6 ahead and hire that person that was already budgeted.

7 MR. PETERS: Okay. Thank you, Patrick.

8 Are there any other comments, discussions
9 from council? All right. Seeing none, we will move
10 that forward to our next legislative meeting. That
11 is under emergency, correct, Patrick?

12 MR. DEORIO: That is correct.

13 MR. PETERS: Okay. All right. Thank you.

14 And lastly for Personnel & Safety, Item C,
15 Ordinance amending Chapter 135, Department of Fire
16 and Emergency Medical Service. That's Section 135,
17 Personnel.

18 Patrick, would you like to weigh in on that
19 as well?

20 MR. DEORIO: This is the same situation as
21 before. Anticipated adding an additional person but
22 we need to authorize the change in the strength of
23 force.

24 MR. PETERS: Okay. Both of these are under
25 emergency. They're proposed, already budgeted.

1 MR. DEORIO: Yes.

2 MR. PETERS: And any questions, concerns from
3 council?

4 Okay. Seeing none, we will move all three of
5 those -- I'm sorry, B and C to the next legislative
6 agenda under emergency.

7 Okay. Next up, we have Water, Sewer &
8 Rubbish. Chairman Cerreta, the floor is yours.

9 MR. CERRETA: Yes, please. Pat or Rob, do
10 you want to tell us what this is all about? This is
11 that tower lease agreement between the city
12 (landlord) and the Cingular Wireless.

13 MR. DEORIO: Yes. Thank you. DeOrio
14 speaking. I'll address that.

15 So we have a lease agreement with AT&T that
16 was signed in 1998 by Mayor Revoldt. It was a very
17 good contract that gave us a monthly revenue stream
18 for leasing out space on one of our wells for these
19 cellular towers. So with that lease, it's been since
20 1998, 21 years, and it was a 30-year lease and it
21 renewed every five years. And so AT&T is going
22 through all these leases as they get close to this
23 expiration and they're trying to negotiate terms to
24 continue this lease for, you know, another 30 years.
25 And so we had to work out arrangements as to what

1 that would look like.

2 So some of the things that we talked about
3 was what is the escalator clause in it? How much
4 does the rent go up every year? And under this new
5 contract we negotiated it at 3 percent. They
6 initially offered 2. The current one is at 4. This
7 would renew then for another five-year increments for
8 the next 30 years. Given today's interest rate
9 environment, I felt that 3 percent was a pretty
10 competitive number for the escalator costs.

11 This is entirely within council's discretion
12 as far as what they want to do. As far as the water
13 treatment plant chairman is concerned, it doesn't
14 present any obstacle to us whether or not we continue
15 with the lease or not; he's happy either way. It
16 doesn't affect him.

17 There were some other language things that we
18 worked out with our law director and that just --
19 we've actually been negotiating on this for over a
20 year, and we were concerned about their ability to
21 allow just anybody on the property. We, you know,
22 restricted that immensely, and pretty much that's the
23 highlights.

24 MR. FONTE: I've got a question. Dominic
25 Fonte.

1 MR. PETERS: Go, Dom.

2 MR. FONTE: So here's the question, Pat. I
3 saw it's 1,925 a month for the lease rate and it
4 looks like it's five-year increments with renewal
5 clause. But the only thing I was just thinking,
6 again, this is something, you know, that we don't
7 have to discuss all tonight but I want you to think
8 on it, it's limited to just them, AT&T/Cingular only,
9 instead of letting us put more than one option up
10 there. So let's say AT&T wanted to go up there,
11 which they're there, and there's Cingular, I believe,
12 they own Cingular cell towers, but let's say Verizon
13 or someone else, I know the 1,925 a month, I didn't
14 know, if there's no danger or anything could we put
15 more up there? I know they want to control it so
16 they don't have competition up there, but for the
17 city I thought it would be a good idea if we gave
18 them a smoking deal like we did that we still reserve
19 the right, if we want to let a competitor go up there
20 as well, providing it has the space and so forth.
21 That's just my thought on it.

22 MR. DEORIO: DeOrion. I would say that as it
23 relates to someone else, I'm concerned about how many
24 people continually have access to the facility. It's
25 manageable with one entity. And to be able to allow

1 Verizon or T-Mobile or somebody else up there, I
2 think we end up taking on more risk for that.

3 Point 2, with the move towards 5G and the
4 micro towers and the small cell towers, when we were
5 at a conference just about a month ago learning all
6 the details about that movement and I don't think
7 that you are going to see this kind of thing down the
8 road. They want to maintain their agreement because
9 their equipment is already there, but most likely
10 you're going to see the cells be small cells on
11 street corners throughout the community.

12 MR. FONTE: Dominic here. One more quick
13 update then.

14 So I get what you're saying, I'm familiar
15 with what you're talking about with the micro towers.
16 So when they do this equipment thing, is there an
17 upgrade to the equipment? Are we getting better
18 reception? And then the second question is, how much
19 did the rent go up from what it was for the prior
20 agreement to what it is now?

21 MR. DEORIO: Well, what was the first
22 question?

23 MR. FONTE: Do we have stronger signal for
24 our citizens, and is the signal going to be better or
25 is that the same equipment, just a renewal?

1 MR. DEORIO: At this time they have had
2 equipment upgrades over the time that this has been
3 in place and have preserved their right to go in and
4 upgrade the equipment, but at this very moment there
5 isn't anything planned.

6 MR. FONTE: And then the second question was,
7 they're paying 1,925 a month. I know it ranges
8 anywhere from 500 to 3,000 a month. I was just
9 curious what -- forget the renewal again with us, how
10 much did they go up, Pat?

11 MR. DEORIO: This is actually a reduction in
12 the monthly amount, but an extension for 30 years.
13 So the -- excuse me. We're balancing out that there
14 are eight years left on the existing contract and I
15 believe it's at like 2,400 a month, and taking it out
16 for 30 years starting at 1,925 and adding 3 percent a
17 year.

18 MR. CERRETA: Okay. Cerreta here. Any other
19 comments or questions for the administrator?

20 Hearing none, do we still feel like we want
21 to put this on? Do we have anybody -- doesn't sound
22 that we don't have anybody, nobody has to say yes, so
23 let's go ahead and put this on then.

24 MR. PETERS: Okay. Thank you very much,
25 Mark. Appreciate it.

1 Next up on the agenda is Finance & Property.
2 Chairwoman Cerreta. Or Chairman Werren.

3 MRS. WERREN: I'm going to let Jina or the
4 director of administration go, but I know that many
5 organizations are using this assistance and obviously
6 it's very timely and it just came up. So either one
7 can.

8 MS. ALABACK: Okay. This is Jina.

9 I can just explain that the Stark County EMA
10 is coordinating the FEMA public assistance
11 applications for all of the local governments. That
12 will be sent through Ohio EMA. The FEMA
13 reimbursement or federal cost share would be provided
14 at 75 percent. So we're just asking for
15 authorization to be included in the -- in the Stark
16 County forwarding. Right now we have nothing to
17 submit, but we're going to start compiling and
18 gathering that data so the application would be
19 submitted so that we're ready to begin whenever our
20 expenses start rolling in as well.

21 MR. FONTE: Dominic here. I have a question,
22 Jina.

23 MS. ALABACK: Yes.

24 MR. FONTE: The question is, FEMA has an
25 option to forgive the 25 percent obligation for the

1 city. So I want to make sure that when you go and
2 get this all situated, make sure you doublecheck on
3 the 25 percent that would be our obligation, because
4 a lot of the other cities and governors and mayors
5 are forgiving the 25 percent. And they have
6 something to do with how bad the city gets hit, you
7 know, but just keep that in mind because that would
8 be nice so that we don't have to eat that 25 percent.

9 MS. ALABACK: That's good information. Thank
10 you for that.

11 MRS. WERREN: Any other questions or
12 concerns? Okay. I'll move to put it on the agenda.

13 MR. PETERS: All right. Thank you,
14 Stephanie.

15 That concludes our special committee meeting
16 tonight. We're going to adjourn out of here and then
17 immediately go into our special council meeting, so
18 at this time I'll entertain a motion to adjourn.

19 MR. REVOLDT: Revoldt. Motion to adjourn.

20 MRS. WERREN: Second by Werren.

21 MR. PETERS: Okay. We have a motion and a
22 second. All in favor?

23 ("Aye" in unison.)

24 MR. PETERS: Opposed? All right. With that
25 said, we are adjourned from the committee meeting.

adjourned at

Benjamin R. Young
Benjamin R. Young
Clerk of Council

Daniel Jeff Peters
City Council President

C E R T I F I C A T E

STATE OF OHIO)
) SS .
STARK COUNTY)

I, Laurie Maryl Jonas, a Registered Merit Reporter and Notary Public in and for the State of Ohio, duly commissioned and qualified, do hereby certify that this meeting was by me reduced to Stenotype and afterwards prepared and produced by means of Computer-Aided Transcription, and that the foregoing is a true and correct transcription.

I further certify that this hearing was taken at the time and place in the foregoing caption specified.

I further certify that I am not a relative, employee of or attorney for any party or counsel, or otherwise financially interested in the event of this action.

I do further certify that I am not, nor is the court reporting firm with which I am affiliated, under a contract as defined in Civil Rule 28(D).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Canton, Ohio, on this 7th day of April, 2020.

Laurie Maryl Jonas

Laurie Maryl Jonas, RMR & Notary Public.
My commission expires January 6, 2022.